

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

1. STATE OF OKLAHOMA

Plaintiff,

v.

1. MIGUEL CARDONA, in his official capacity as the Secretary of Education for the United States Department of Education;

and

2. UNITED STATES DEPARTMENT OF EDUCATION;

Defendants.

Case No. CIV-24-0461-JD

**PLAINTIFF’S FIRST NOTICE OF SUPPLEMENTAL AUTHORITY IN
SUPPORT OF ITS MOTION FOR A PRELIMINARY INJUNCTION**

Pursuant to Local Rule 7.1(l), the State of Oklahoma (“Plaintiff” or “Oklahoma”), submits this Notice of Supplemental Authority. Yesterday, July 24, 2024, the Eastern District of Missouri issued a preliminary injunction of Defendants’ Final Rule for Title IX, applying to Arkansas, Missouri, Iowa, Nebraska, North Dakota, and South Dakota, as well as a private plaintiff in Arkansas. *See* Memo. and Order, *Arkansas v. United States Dep’t of Educ.*, No. 4:24-CV-636-RWS (E.D. Mo. July 24, 2024) (attached as Exhibit 1). The court found that the States had a fair chance of success on the merits, the States were likely to suffer significant irreparable harm, and the public interest and balance of the equities favored the States, in part because an injunction would maintain the longstanding status quo. The court declined to issue a nationwide injunction, but it did enjoin the Final Rule in

its entirety in part because the contested definition of sex “permeates the entire Rule,” making it “a nearly impossible task” to issue more limited relief. *Id.* at 50.

Respectfully submitted,

s/ Barry G. Reynolds

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ATTORNEYS FOR THE STATE OF OKLAHOMA

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of July 2024, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant:

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/s/ Barry G. Reynolds
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